

Valle De Oro Community Planning Group
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m/o 10/27
RECEIVED
OCT 27 2008

Minutes of meeting: October 7, 2008
Location: Otay Water District Headquarters
2554 Sweetwater Springs Blvd.
Training Room, Lower Terrace

San Diego County
DEPT. OF PLANNING & LAND USE

1. Call to order: 7:00 PM J.L. PHILLIPS, presiding Chair

Members present: Brennan, Brownlee, Feathers, Fitchett, Henderson, Hewicker, Hyatt, Manning, Millar, Mitrovich, Phillips, Reith, Ripperger, Wollitz

Not present: Chapman

2. Finalize Agenda: As shown

3. Open Forum: None

4. Approval of minutes: Minutes of September 16, 2008 **VOTE:** 9-0-5 to approve
Abstained: Manning, Millar, Mitrovich, Reith, Ripperger

5. Land Use

- a) Proposed Signage for restaurant site at southwest corner of Jamacha Road/Willow Glen Drive intersection, Rancho San Diego. Signage for new construction on site and additions to existing North Island Credit Union monument signs.

PHILLIPS provided a brief history of the project. Originally, per the Specific Plan, there was to be a 10,000 sq. ft. sit down restaurant with 1260 sq. ft. to be commercial use related to the restaurant use. Currently, North Island Credit Union occupies a separate building on the site. A Real Estate office is proposed to lease a portion of the restaurant building. The restaurant must be seen as the predominant use on the site. PHILLIPS moved to form a committee to approve the sign designs for the restaurant and the Real Estate offices. The committee would include BRENNAN, FITCHETT, HENDERSON and PHILLIPS. (MILLAR seconds). Discussion: PHILLIPS stated that it was always part of the plan to have the restaurant as the main occupant. **VOTE: 14-0-0** to approve.

6. New Business

- a) Public Road Standards: Review of draft revised San Diego County Public Road Standards to facilitate design and implementation of the roads consistent with the proposed General Plan Update Circulation Element Road classifications.

Introduced by FITCHETT. He only addressed changes on page 4 concerning the definition of "Right-of-Way". "Right-of-Way" is defined as the area between easement sidelines available for roadway, curbs, gutters, sidewalk, "franchised utilities", etc...

FITCHETT called the author of the draft and inquired what "franchised utilities" were. The author could not answer and stated that the paragraph was prepared by county real estate people.

When FITCHETT "Googled" the term it stated that "franchised utilities" can include, but are not limited to, water, gas, electricity, sewerage, telephone, cable TV, drainage, underground conduits, pad mounted transformers, service pedestals, poles, pipes, ducts and wires, any and all of them upon, over, under and along the right-of-way.

This broad definition could easily be interpreted to include cellular phone towers, antenna, and equipment. Such interpretation would authorize "by right" their construction in the right-of-way. FITCHETT moved to use HYATT's definition of franchised utilities which includes water, gas, electricity, sewerage, telephone, cable TV, drainage, underground conduits, pad mounted transformers, service pedestals, poles, pipes, ducts and wires, any and all of them upon, over, under and along the right-of-way; but excludes cellular phone towers, antenna, and equipment. (HYATT seconds). Discussion: Cell phone companies are not CPUC regulated utilities. **VOTE: 14-0-0 to approve.**

- b) POD08-005: Proposed Zoning Ordinance amendment to reduce the number of accessory-unit types from four to two: Second Dwelling Units and Guest Living Quarters. Eliminates Accessory Apartments ("Granny Flat") and Accessory Living Quarters.

The proposed Zoning Ordinance was introduced by PHILLIPS. He stated that it does away with a building unit for relatives and only allows for free market rental in the form of a Second Dwelling Unit. A Second Dwelling Unit can be built if a parcel is greater than 20,000 sq. ft. and meets the setback requirements OR if an Administrative Permit or a Minor Use Permit (MUP) is obtained. PHILLIPS wants to ensure protection of single family residential neighborhoods. Therefore, he provided a Draft Accessory Dwelling Amendment to allow for when families need additional living quarters for parents, boomerang children, etc. He believes that families should not be forced to build permanent Second Dwelling rentals in our single family neighborhoods. To fill this frequently encountered need he suggests the following modifications to the County Draft Zoning Ordinance:

PHILLIPS' Draft Accessory Dwelling Amendment: Provide a new provision for an additional interior apartment (based on the premise if the primary structure has an additional kitchen then it CANNOT have an additional exterior access), there may only be one electric meter, and the unit is NOT to be rented; he does NOT

concur with the use of second dwelling units on non-conforming lots especially lots smaller than 1.0 acres and he does NOT concur with the change to the Administrative Permit. PHILLIPS moved to approve his Draft Accessory Dwelling Amendment. (MILLAR seconds). Discussion: PHILLIPS believes that this type of living arrangement is far better for our communities than creating a Second Dwelling Unit rental. He questioned why no interior access is provided in the Guest Living Quarters definition in the County's draft. He thinks they should leave the existing size and permit requirements. He wonders what the difference is to the changes to the Administrative permit as specified in their draft. **VOTE: 14-0-0 to approve.**

c) Proposals for Community Development Block Grant Funds

PHILLIPS reviewed the projects considered for funding:

- a. Estrella Park Design Implementation: Go forward with requesting funds for implementation of the design phase.
- b. A sidewalk is needed on the east side of Kenwood between Kenora and Campo Road. It is a safety concern.
- c. Need a curb, gutter and sidewalk on Dale Avenue for the multi-family apartments
- d. The ficus trees on Campo Road adjacent to Casa De Oro Plaza are stressed and struggling to survive because they are surrounded by impervious pavement. The sidewalk hasn't been replaced with permeable pavement, as promised.

PHILLIPS moved to fund these projects prioritized as follows: 1. Estrella Park Design Implementation 2. Sidewalk on east side of Kenwood between Kenora and Campo Road 3. Permeable sidewalk pavement around Ficus trees adjacent to Casa De Oro Plaza 4. Curb, gutter and sidewalk on Dale Avenue. (REITH seconds) **VOTE 13-0-0 (HYATT left early).**

d) Priority listing for use of Park Land Dedication Ordinance Fees.

County Parks Department has ignored our prioritized funding listing every time and has openly deceived the Planning Group regarding the use of the funds. PHILLIPS moved to use the same priority list as previously submitted. (REITH seconds). **VOTE: 13-0-0**

7. **Chairman's Report:** PHILLIPS reported that MANNING's project where VDOCPG recommended a variance on San Vicente Boulevard requiring a minimum 7.5' side yard was considered by the Zoning Administrator for a further reduced setback. The Zoning Administrator agreed with neighbors and denied the variance request.

8. **Adjournment:** 8:12 PM

Submitted by: Jösan Feathers